

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

LD, ET AL.,

Plaintiffs,

v.

UNITED BEHAVIORAL HEALTH, ET AL.,

Defendants.

CASE NO. 4:20-cv-02254 YGR

**ORDER STAYING DISCOVERY
PRODUCTION PENDING RESOLUTION
OF MOTION FOR RELIEF FROM NON-
DISPOSITIVE PRETRIAL ORDER;
DIRECTING MEET AND CONFER**

Re: Dkt. Nos. 266, 268-270

Defendant MultiPlan, Inc. (“MultiPlan”) has filed an “emergency” administrative motion for a stay of a discovery order pending review of a motion for relief from a non-dispositive pretrial order issued by Chief Magistrate Judge Spero at Docket Number 266. (Dkt. No. 269.) At this juncture, it is not clear whether the request for a stay is moot since the production deadline was December 16, 2022. Procedurally, it is also not well taken. In typical practice, parties would request the stay from the magistrate judge issuing the order given the magistrate judge’s familiarity with the posture of the case. This approach permits a fulsome record to be developed before the issue is presented on review. Moreover, the docket shows that MultiPlan delayed in bringing this “emergency” motion and sought relief near the eve of production. MultiPlan is warned that its delay is not well taken.¹

In any event, given the substantive issues raised and this Court’s availability to consider the issues, a limited stay pending resolution of the motion for relief is **GRANTED**. The parties are directed to meet and confer as to a proposed briefing schedule on the underlying motions for relief

¹ MultiPlan brought its emergency motion pursuant to Civil Local Rule 7-11. A close review of that rule relied upon shows that a motion requires a declaration that explains why a stipulation to the motion could not be sought. MultiPlan’s motion is silent as to any effort to meet and confer to avoid burdensome motion practice. Repeated non-compliance with local rules may result in sanctions.

1 at Docket Numbers 268 and 270. A joint stipulation setting forth an agreed upon schedule shall be
2 filed **no later than 1:00 p.m. on December 20, 2022.**

3 This Order terminates Docket Number 269.

4 **IT IS SO ORDERED.**

5 Dated: December 19, 2022


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE

United States District Court
Northern District of California